

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with **Attorney Bernadette McGann 202 822 6690** on 10/21/ 2009.

The application has been amended as follows:

Claims 23-28, 30, 32, 34, 36-39 have been cancelled.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The translation of the foreign priority document overcomes any rejection based on the Nagata article published July 2004.

Fullerenes C60, C70 and higher form complexes with amines that are not soluble. Chromatography can be used for separation when the complexes are soluble. Claims are drawn to amine complex formation of fullerenes C60, C70 and higher dissolved in a solvent based upon a two step process where the first step constitutes of

amine complex formation from fullerenes of a fullerene mixture to form an amine complex insoluble in the solvent from which it was formed and separating the insoluble complex from the dissolved fullerenes not forming the complex and not by chromatography. While the prior art teaches the dissolution of higher than C70 amines in an organic solvent, prior art does not teach the amine complex formation of fullerenes where the complex formed is insoluble in the solvent in which the amine and fullerene mixture are brought into contact as claimed.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BIJAY S. SAHA whose telephone number is (571) 270-5781. The examiner can normally be reached on Monday- Friday 8:00 a.m. EST - 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Mayes can be reached on (571) 272 1234. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BIJAY S SAHA/
Examiner, Art Unit 1793

BSS

October 23, 2009

/Melvin Curtis Mayes/
Supervisory Patent Examiner, Art Unit 1793